

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

CHERYL MORRIS

F I L E D
MADISON COUNTY

PLAINTIFF

V.

OCT 28 2019

CAUSE NO.

WALMART, INC.

ANITA WRAY, CIRCUIT CLERK
BY Dawn J B D.C.

DEFENDANT

AND JOHN DOES 1-10

COMPLAINT
Jury Trial Demanded

COMES NOW, Plaintiff, Cheryl Morris, by and through counsel, and files this, her *Complaint* against Defendants, Walmart, Inc. (“Walmart”) and John Does 1-10, and in support thereof, would show the following:

1.

Plaintiff is an adult resident citizen of the State of Mississippi.

2.

Walmart, is a foreign corporation doing business in Mississippi. It may be served with process by service on its registered agent, CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, MS 39232.

3.

At all times material and relevant, Walmart was the owner and operator of the Walmart Supercenter in Ridgeland, Mississippi.

4.

Defendants John Does 1-10 are other persons, firms, corporations, or entities whose negligence and/or additional wrongful conduct proximately caused injuries and damages to

Plaintiff, all whose true and correct names and addresses are unknown to the Plaintiff at this time.

5.

On or about August 8, 2019, Plaintiff entered the Walmart Supercenter in Ridgeland, Mississippi for the purpose of conferring an economic benefit on Walmart. While in said store, Plaintiff slipped and fell, sustaining serious personal injuries.

6.

Walmart failed to warn Plaintiff of the wet floor and/or dangerous condition.

7.

Walmart owed Plaintiff a duty to keep the premises in a reasonably safe condition.

8.

Walmart breached its duty to Plaintiff as the wet floor constituted a dangerous condition and Walmart failed to warn Plaintiff of said dangerous condition.

9.

Walmart had actual and/or constructive knowledge of the dangerous condition.

10.

Walmart's negligence and breach of duty to Plaintiff proximately caused Plaintiff to sustain serious personal injuries.

11.

Walmart was further negligent in the hiring, retention, training, and supervision of

their employees. Said negligent hiring, retention, training, and supervision proximately caused injury to Plaintiff.

12.

Walmart's agents and employees, including those responsible for the safe maintenance of the premises, were negligent in failing to keep the premises reasonably safe and in failing to warn Plaintiff of the dangerous condition. Therefore, Walmart is further vicariously liable via the doctrine of respondeat superior for the negligence of their agents and employees.

13.

As a proximate cause of the negligent acts of both Walmart and its agents and employees, Plaintiff sustained damages, including but not limited to: pain and suffering, emotional distress, personal injuries, past medical expenses, and future medical expenses.

WHEREFORE, PREMISES CONSIDERED, Plaintiff demands a trial by jury and seeks judgment of, from, and against Defendants in an amount that would adequately compensate her for her injuries and damages, pre-judgement and post-judgement interest, all costs in this matter, and for any other relief provided by law.

RESPECTFULLY SUBMITTED, this the 24 day of October, 2019.

CHERYL MORRIS

By: 

Attorney for Plaintiff

Case: 45CI1:19-cv-00249-a Document #: 1 Filed: 10/28/2019 Page 4 of 6

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October 24, 2019

Ms. Anita E. Wray
Madison County Circuit Clerk
P.O. Box 1626
Canton, MS 39046

RE: Morris v. Walmart, Inc. et al.

Dear Ms. Wray:

I have enclosed the following:

- CT 2019-0249-OA
- 1) Civil Cover Sheet
 - 2) Original and One Copy of the Complaint
 - 3) Summons
 - 4) \$161.00 Check for the Filing Fee

I would appreciate you filing the Complaint and issuing the Summons. Please return a copy of the filed Complaint and the issued Summons to me in the enclosed self-addressed stamped envelope.

Thank you for your kind attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "W E Ballard".

William E. Ballard

RECEIVED

OCT 28 2019

By A handwritten signature in black ink, appearing to read "W E Ballard".

Case: 45CI1:19-cv-00249-a Document #: 1 Filed: 10/28/2019 Page 6 of 6
 FEE BILL, CIVIL CASES, CIRCUIT COURT

State of Mississippi
 Madison County

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|---------------------|--------|--------------------|------------|
| Case # CI-2019-0249 | Acct # | Paid By CHECK 1754 | Rct# 86009 |
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| CV CLERK'S FEE | 85.00 |
| CV LAW LIBRARY | 2.50 |
| CV COURT REPORTER TAX | 10.00 |
| CV COURT EDUCATION | 2.00 |
| CV COURT ADMINISTRATOR | 2.00 |
| CV CIVIL LEGAL ASSISTANCE FUND | 5.00 |
| CV COMPREHENSIVE ELECTRONIC CT | 10.00 |
| CV JURY TAX | 3.00 |
| CV CONSTITUENTS FE | .50 |
| CV RECORDS MANAGEMENT PROGRAM | 1.00 |
| CV-JUDICIAL SYS OPERATION FUND | 40.00 |

| | |
|-------|-----------|
| Total | \$ 161.00 |
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Payment received from BALLARD LAW FIRM

Transaction 86424 Received 10/29/2019 at 10:45 Drawer 1 I.D. DENDY

| | | |
|---------------------|--------|--------------------------|
| Current Balance Due | \$0.00 | Receipt Amount \$ 161.00 |
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By _____ D.C. ANITA WRAY, Circuit Clerk

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| Case # CI-2019-0249 | Acct # | Paid By CHECK 1754 | Rct# 86009 |
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